

REMARKS

Claims 1 to 9 are in the application and stand finally rejected under 35 USC §103(a) over **Arnett et al.** in view of **Riser et al** and **Savage**. By this Amendment the Examiner is respectfully requested to reconsider this rejection of the claims particularly in view of the amendments hereof made to claim 1 and, via dependency, to the other claims in the application, and in view of the comments made by Applicants' attorney at the interview courteously accorded to Applicants' attorney by the Examiners.

At the interview it was explained to the Examiners that none of the references relied upon in the rejection either teach or suggest the features attributed to them by the Examiner in concluding a lack of patentability in the claims. First, the patent to **Arnett et al.** does not, as the Examiner states, show a body containing a light-leading path with an outer body concentric with the light-leading path. In fact, **Arnett et al.** only shows a coupler 30 for a laser delivery system wherein the tube 46 is a hollow cylindrical extension of the apparatus. This reference is completely devoid of a light-leading path in the spirit of Applicants' invention which, as described in the specification at page 12, lines 5 to 13, is an integral part (identified as 26 in Fig. 4 of the application drawings) of the sleeve 1. As contrasted with the claimed invention, what the Examiner considers to be **Arnett's** "light-leading path" is no more than an illustration of convergent light rays. (In this regard, although Applicants believe the current language of claim 1 adequately defines the structure of the "light-leading path", language is added by this proposed amendment to claim 1 to state conclusively that the "light-leading path" constitutes "a portion of" the sleeve body.)

Secondly, at the interview, Applicants' attorney explained, as had been done in the response to the previous Office Action, that Fig. 3 of **Riser et al.** clearly does not disclose a light-leading path of frusto-conical shape as contended by the Examiner. On the contrary, as plainly explained in the paragraph bridging cols. 2 and 3 of the **Riser et al.** patent, what Fig. 3 of **Riser et al.** shows is a "cylindrical housing" (col. 2, line 65). As explained previously and at the interview, it is only because the representation of Fig. 3 is "a perspective view" (col. 2, line 61) that the Examiner mistakenly attributes a frusto-conical shape to the member. This erroneous interpretation of the **Riser et al.** device was acknowledged at the interview.

Lastly, Applicants' attorney explained to the Examiners that the element 30 described in the patent to **Savage, Jr.** is not "a peripheral projecting portion" of the sleeve. Instead, element 30 of **Savage, Jr.** constitutes no more than "a support panel" for carrying the light pipe. A fair reading of this patent indicates without question that the "support panel 30" and its through-opening 31 do not meet the definition of a portion projection peripherally from the sleeve and extending radially between and interconnecting the outer tube portion and the periphery of the light-leading path, as claimed. (In this regard, notwithstanding that the current claim language is believed to clearly define structure which is not shown by **Savage, Jr.** Applicants have added language by this Amendment to indicate that the "peripheral projecting portion" (as shown at 27 in Fig. 4 of the application) is "an integrally formed (portion) of said sleeve", which is clearly lacking in **Savage, Jr.**

For the foregoing reasons it is respectfully submitted that none of the patents to **Arnett et al.**, **Riser et al.** and **Savage, Jr.** describe apparatus or structure which bears any resemblance to

Applicants' claimed sleeve arrangement as defined by claim 1, particularly as amended hereof. Consequently, the claim is submitted as being patentable and should be allowed.

Moreover, claims 2 to 9, the remaining claims in the application, being dependent from claim 1 are submitted as being patentable for the same reasons given for the patentability of claim 1.

The Examiners at the interview acknowledged the existence of errors in the interpretation of at least one of the references relied upon in the rejection in the final Action. Accordingly, it was agreed that the present Amendment would be admitted for prosecution in the application and, barring the discovery of more pertinent prior art, that the claims hereof would be allowed.

Applicants therefore respectfully request a prompt and favorable consideration of this Amendment and allowance of the application.

In the event the Examiner decides to continue to reject claims in the application it is requested that the Examiner nonetheless enter the amendments to claim 1 herein in order to place the application in better condition for appeal.

On the other hand, however, if the Examiner finds that minor revision is still required to render the claims satisfactory, it is requested that he call the Applicants' attorney at the telephone number indicated below in order to expedite the changes required to place the application in condition for allowance.

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U.S. Patent Application Serial No. 09/893,548
Reply to OA of **June 30, 2003**

October 23, 2003
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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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